

**Notice of a meeting of  
Corporate Appeals Panel**

**To:** Councillors Galvin, Waller and Looker

**Date:** Friday, 15 July 2022

**Time:** 10.00am

**Venue:** The George Hudson Board Room - 1st Floor,  
West Offices (F045)

**AGENDA**

**1. Election of Chair**

To elect a Member to act as Chair of the meeting.

**2. Exclusion of Press and Public**

To consider excluding the public and press from the meeting during consideration of agenda item 5 (Appeal against Dismissal) on the grounds that it contains information relating to an individual and information which is likely to reveal the identity of an individual. This information is classified as exempt under paragraphs 1 and 2 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

**3. Declarations of Interest**

At this point in the meeting, Members are asked to declare any disclosable pecuniary interests or other registerable interests they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests.

**4. Minutes (Pages 3 - 4)**

To approve and sign the minutes of the meeting held on 21 January 2022.

## 5. Appeal Against Dismissal

### a) Appellant's Case (Pages 5 - 12)

Papers in support of the appellant's case.

### b) Management Case (Pages 13 - 22)

Papers in support of management's case.

### c) Joint Supporting Papers (Pages 23 - 188)

Background papers to the appeal.

Democracy Officer:

Name: Louise Cook

Contact Details:

- Telephone – (01904) 551031
- E-mail - [louise.cook@york.gov.uk](mailto:louise.cook@york.gov.uk)

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

**This information can be provided in your own language.**

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

**CITY OF YORK COUNCIL**  
**CORPORATE APPEALS PANEL**  
**(Disciplinary Dismissals)**

**Procedure**

The procedure for the appeal will be as follows:

- The appellant and/or his/her representative and the Management (officer(s) appearing for the Council) are invited into the meeting.
- The Chair of the Panel will introduce all parties present and explain procedural matters.
- The Chair will invite the appellant/representative to confirm the reason(s) for the appeal.
- The appellant or his/her representative will present his/her case and will call and question any supporting witnesses he/she considers necessary.
- Following the presentation of the appellant's case, the Chair will invite Management to put questions to the appellant or his/her representative/witnesses.
- Management will present the Council's case and will call and question any supporting witnesses he/she considers necessary.
- Following the presentation of the Council's case, the Chair will invite the appellant/representative to put questions to Management/witnesses.
- Members will ask both parties to sum up (please note that no new evidence can be introduced at this stage)
- Members can ask questions of both parties at any stage during the appeal.

- Any party may call for a reasonable recess during the appeal hearing.
- Once the case for and against the appeal has been heard, the Chair will call for an adjournment for the panel to make their decision.
- Both parties will leave the room while Members, advised by Human Resources, make their decision.

### **Decision**

- Members will debate the case and decide which one or more of the four legal reasons for appeal are applicable.
- Depending on the reason for appeal, Members will decide whether the grounds for appeal are sustained and whether or not to uphold the original decision that the employee did commit a disciplinary offence.
- Members will decide whether or not to uphold the original penalty.
- The reasons for Members decisions will be recorded.
- The outcome of the appeal will be communicated in writing to all parties within five working days of the decision being made.

City of York Council

Minutes

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Meeting	Corporate Appeals Panel
Date	21 January 2022
Present	Councillors Galvin, Kilbane (Chair) and Waller

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**1. Election of Chair**

Resolved: That Cllr Kilbane be elected as Chair of the meeting.

**2. Exclusion of Press and Public**

Resolved: That the press and public be excluded from the meeting during consideration of Agenda Item 5 (Appeal against Dismissal), on the grounds that it included information relating to an individual and information which was likely to reveal the identity of an individual. This information was classed as exempt under paragraphs 1 and 2 of Schedule 12A to Section 100A of the Local Government Act 1972, as revised by the Local Government (Access to Information) (Variation) Order 2006.

**3. Declarations of Interest**

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests, which they might have in the business on the agenda. None were declared.

**4. Minutes**

Resolved: That the minutes of the meeting held on 20 August 2021 be approved as a correct record and be signed by the Chair at a later date

**5. Appeal against Dismissal**

The Panel considered an appeal against dismissal under the City of York Council's Disciplinary Procedure.

Having considered the cases presented by the appellant and management and reviewed the information provided in some detail, the Panel determined the outcome of the case relating to the appellant.

Resolved: That the appeal was now concluded and there was no further right of appeal.

Reason: To ensure the Panel meets its procedural requirements in determining appeals.

Cllr Kilbane, Chair

[The meeting started at 10.12am and finished at 3.15pm.]

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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